

REMARKS

Claims 1-22 are pending in this application. By this Amendment, claims 1, 16, 17, 20 21 and 22 are amended.

Entry of the amendments is proper under 37 CFR §1.116 since the amendments: (a) place the application in condition for allowance (for the reasons discussed herein); (b) do not raise any new issue requiring further search and/or consideration (since the amendments amplify issues previously discussed throughout prosecution); (c) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (d) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

Reconsideration based on the following remarks is respectfully requested.

I. **The Claims Satisfy the Requirements of 35 U.S.C. § 112, First Paragraph**

The Office Action rejects claim 22 under 35 U.S.C. § 112, first paragraph.

Specifically, the Office Action asserts that the disclosure does not provide support for the feature of the electrode or the distance between the electrodes. Support for the feature of the distance between the electrodes being less than 5mm can be found at least at page 4, lines 6-8 of the specification. Thus, this feature is fully supported by the original disclosure.

Withdrawal of the rejection under 35 U.S.C. § 112, first paragraph is respectfully requested.

II. **The Claims Define Patentable Subject Matter**

The Office Action rejects claims 1-21 under 35 U.S.C. §102(e) over Arkles et al. (U.S. Patent Publication No. US 2002/0119327 A1); and claim 22 under 35 U.S.C. §103(a) over Arkles. This rejection is respectfully traversed.

Arkles does not disclose or suggest a method for fabricating a film in which, inter alia, the noble gas radicals and ions collide with the reactant gas to form plasma, as recited in claim 1, and as similarly recited in claims 16 and 17. Arkles also does not disclose or suggest a method for fabricating a semiconductor device in which, inter alia, the noble gas radicals and ions collide with the reactant gas to form plasma, as recited in claim 20. Arkles also does not disclose or suggest a method for fabricating a memory device in which, inter alia, the noble gas radicals and ions collide with the reactant gas to form plasma, as recited in claim 21.

Instead, Arkles is drawn specifically to an atmospheric pressure chemical vapor deposition (APCVD) process. See, for example, page 6, paragraph 48 of Arkles. The noble gases used in the process of Arkles are used merely to dilute the precursor, and are not used to form plasma. In contrast, the present invention is directed to a plasma enhanced chemical vapor deposition process (PECVD) that does not require the use of expensive vacuum tools.

Withdrawal of the rejections under 35 U.S.C. §§ 102 and 103 is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-22 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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